

CHARTER ORDINANCE NO. 216 028001

A CHARTER ORDINANCE AMENDING AND REPEALING SECTION 1 OF CHARTER ORDINANCE NO. 213 OF THE CITY OF WICHITA, KANSAS, WHICH AMENDED AND REPEALED SECTION 1 OF CHARTER ORDINANCE NO. 183 OF THE CITY OF WICHITA, WHICH AMENDED AND REPEALED SECTION 1 OF CHARTER ORDINANCE NO. 174 OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE APPLICATION OF REVENUES FROM THE TRANSIENT GUEST TAX.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 1 Charter Ordinance No. 213 of the City of Wichita, Kansas, amending Section 1 of Charter Ordinance No. 183 of the City of Wichita, Kansas, amending Section 1 of Charter Ordinance No. 174 of the City of Wichita, Kansas, is hereby amended to read as follows:

SECTION 1. Section 1 of Charter Ordinance No. 174 of the City of Wichita, Kansas is hereby amended to read as follows:

"Revenue from the transient guest tax generated from facilities other than a hotel at 104 S. Broadway shall be expended in the priority as follows:

1st. To pay any obligations, including but not limited to bonds, leases or contracts resulting from or directly attributable to the construction or use of new facilities for convention or exhibition purposes, including but not limited to the Old Town Parking Garage, the Marriott Fairfield Inn and Suites Hotel at the corner of Dewey and Main Streets, the Century II Conference Center, and the Energy Complex, Century II Air Conditioning and Heating Equipment and East Bank Parking Garage serving Century II. Expo Hall, and the Century II Conference Center.

2nd. To pay any deficit incurred in the operation or maintenance of such new facilities for convention or exhibition purposes.

3rd. Any funds remaining shall be held in reserve to pay any deficit incurred in the operation or maintenance of Century II, to establish a building fund for future facilities, to pay for extraordinary facility repairs or replacement and to fund attractions deemed to have advantage or interest to the City of Wichita.

4th. None of the revenue from said tax shall be expended for promotion of conventions and tourism facilities or activities for Sedgwick County outside the city limits of Wichita unless and until an equal transient guest tax is levied by the Board of County Commissioners of Sedgwick County, Kansas, and the City Council authorizes by resolution such expenditures."

Revenue from the transient guest tax generated from a hotel at 104 S. Broadway shall be expended as follows: For the first 15 years of such hotel's operation, 75% of the revenues shall be rebated to the hotel owner in a single annual payment, and the remaining 25% shall be expended in accordance with priorities 1st through 4th, above. After the 15<sup>th</sup> year of such hotel's operation, all guest tax revenues generated therefrom shall be expended in accordance with priorities 1st through 4th, above.

SECTION 2. The original of Section 1 of Charter Ordinance No. 213 of the City of Wichita, Kansas is hereby repealed.

SECTION 3. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City paper.

SECTION 4. This is a Charter Ordinance which shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on the ordinance as provided in Article 12, Section 5, Subsection (c)(3), of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY, not less than two-thirds of the members elect voting in favor thereof, this September 27, 2011.

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Carl Brewer, Mayor

Attest:

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Karen Sublett, City Clerk

(Seal)

Approved as to Form:

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Gary E. Rebenstorf, Director of Law